

**BILLINGS COUNTY BOARD OF COUNTY COMMISSIONERS  
REGULAR MEETING – JULY 5, 2011**

The meeting was called to order at 9:00 A.M. with Commissioners Thompson and Kasian in attendance. Commissioner Arthaud was absent.

Others present during portions of the meeting were: Jim Wosepka, Deb Thuerer, Roy Basaraba, Cal Klewin, Craig Kubas, Jeff Iverson, Russ Jordre, Scott Schneider, Dennis Reep, John Nestoss, Jim Scholgo, Clint Schneider; Marc Barra, Marc Mouton, Allan Butts, Matt Kolling, Darlene Mitchell, Jim Sabe, Deb Walworth, Dana Wanner, Richard Volesky, Pat Rummel, Jay Brovold, Dave Jurgens

Thompson moved to approve the minutes from the June 7, 2011 regular meeting. Kasian seconded. All voted aye.

Jim Wosepka CPA presented the board with the independent audit report for 2010. Kasian moved to approve the 2010 audit report. Thompson seconded. All voted aye.

Deb Thuerer, Parent Resource Center, discussed the programs done in the past year, and their proposed budget allocation for the next year. Thompson moved to approve \$1,350 be added to the 2012 budget. Kasian seconded. All voted aye.

Deb Walworth with Prairie West Development asked for direction from the board pertaining to economic development and the proposed man-camp. The board directed her to contact Commissioner Arthaud as the project is in his district. She discussed interest buy-down options, but the board would have final decision whether to participate in that incentive.

Representatives from Energy Resource Group and Pifers Realty met with the board in two different time slots throughout the day. They presented the board with the plans for building an oilfield service and lodging facility on the Fryburg School location. If there comes a time the buildings are no longer needed, they will remove them. Marc Mouton indicated that there would be no cost to the county, and the buildings would be put back on the tax roles becoming additional revenue for the county. They will not be seeking an interest buy-down agreement with the county, and will not be seeking a tax deferment or payment-in-lieu-of-taxes incentive. State's Attorney Brovold indicated that the board couldn't make a formal decision on the building construction at this time. The zoning amendments addressing group lodging need to go through the public hearing process on July 14th, and the zoning board needs to approve it before the county commissioners can make any decision on that. The county commissioners can approve the zoning change from agricultural to commercial. Thompson moved to approve the zoning change from agricultural to commercial. Kasian seconded. All voted aye.

The board presented a plaque to Roy Basaraba in honor of his 22 ½ years of serving as the Billings County Veteran's Service Officer.

Cal Klewin with Theodore Roosevelt Expressway gave the board an overview of the activity and progress of the project.

Craig Kubas with Kadrmas, Lee & Jackson met with the board for the monthly engineer's report.

Third District Road Foreman Jeff Iverson met with the board to discuss the oil impact funding. Any road project or repair that meets the set criteria is eligible for partial funding.

NRCS representatives informed the board that funds were approved for the riverbank stabilization on the Clint Schneider property. The current estimate is \$360,000. Thompson moved to table any decisions until the next meeting, or if a special meeting can be called with a full board in attendance. Kasian seconded. All voted aye.

Thompson moved to appoint Emily Vesey to the Billings/Golden Valley Social Services Board. Kasian seconded. All voted aye.

The board discussed an annual cost of living increase for 2012. Thompson moved to allow 6% of the highest salary and give that same dollar amount to all employees. Kasian seconded. All

voted aye. The board requested that the auditor notify all employees of the allowance and set an agenda time during the August meeting if any employees had any feedback or merit increase requests.

The board received the results of the Billings County Redistricting Board meeting. The redistricting board determined that the current districts were approximately equal in terms of area, road systems, and distribution of County, State and Federal funds. Redistricting would create impracticable districts. Thompson moved to uphold the redistricting board decision to leave the districts as they currently are. Kasian seconded. All voted aye.

The board received and approved the following permits:

Construction in County Right-of-Way Permits

- Whiting Oil & Gas – Section 12-140-100 along 32<sup>nd</sup> St W and NFSR 751
- Whiting Oil & Gas – Section 16-140-100 along 32<sup>nd</sup> St W and NFSR 736
- Whiting Oil & Gas – Section 11-140-100 along 32<sup>nd</sup> St W and NFSR 751
- Whiting Oil & Gas – Section 24-140-100 along 34<sup>th</sup> St SW
- Whiting Oil & Gas – Section 14-140-100 along 32<sup>nd</sup> St and NFSR 751
- Whiting Oil & Gas – Section 10-140-100 along 32<sup>nd</sup> St and NFSR 751
- Whiting Oil & Gas – Section 12-139-100 along 38<sup>th</sup> St SW
- Whiting Oil & Gas – Section 27-140-100 along 135<sup>th</sup> Avenue & 34<sup>th</sup> St SW
- Whiting Oil & Gas – Section 26-140-100 along 34<sup>th</sup> St SW
- Whiting Oil & Gas – Section 28-140-100 along 135<sup>th</sup> Avenue & 34<sup>th</sup> St SW
- Whiting Oil & Gas – Section 13-140-100 along 32<sup>nd</sup> St SW
- Whiting Oil & Gas – Section 13-139-100 along 38<sup>th</sup> St SW

The board approved the revenue vouchers for the month of June: Zoning Inspector \$1,600.00 permits; County Recorder \$19,982.54 May collections; Sheriff \$10.00 copies, Clerk of Court \$147.50 June collections.

Revenues for materials and/or services rendered in June: Thomas Grosulak \$43.50 COBRA Insurance; Roosevelt Custer Regional Council \$10,100.00 Loan payment; RES Specialty Pyrotechnics \$192.00 Fireworks Permit; Public \$80.64 maps; Stallion Oilfield Services \$50.22 maps; Charlie Inman \$16.13 maps;

Revenues for the month of June: ND Department of Commerce \$6,000.00 Emergency Planning Grant; ND Dept. of Health \$780.00 Training Grant; Noridian \$742.47 Ambulance Services; State of ND \$263,306.87 Mineral Royalties; NDDOT \$1,675.22 Seatbelt Enforcement Grant; NDDOT \$12,000.00 Watchguard Video Camera Grant; Department of the Interior \$103,059.00 PILT payment; Highway Tax Distribution \$10,706.25; Oil \$ Gas Production Tax \$294,090.94; North Dakota Highway Patrol \$771.93 Underage Drinking Grant; Permits \$6,740.00; Interest \$7,752.40; Royalties \$110,617.84

The following claims were approved for payment:

3D Specialties, Inc.	Telespar	00221	\$	1,074.00	3
Acme Electric	Parts, Supplies, & Rental	00222	\$	972.82	3, G
Adams, Donna	Recorder – Travel Expense	00223	\$	190.96	
Adams, Sherry L.	Flood Emergency Services	00224	\$	1,363.50	
Advanced Business Methods	Recorder – Copy Paper	00225	\$	481.00	
Alternative Sanitation	Garbage Removal	00226	\$	150.00	1, 2, 3
American Welding & Gas	Shop Tools	00227	\$	140.97	2
Ameripride Linen Service	Mat Rental	00228	\$	81.15	2, 3
Aspen Mills	Ambulance - Uniforms	00229	\$	112.07	
A T & T	Cellular Service	00230	\$	313.63	
Basaraba, Darren	Weed – Pesticide Training	00231	\$	80.00	
Billings County Rural Fire District	Taxes	00232	\$	41.50	
Billings County Historical Society	Budget	00233	\$	15,500.00	
Billings County Pioneer	Publishing	00234	\$	475.80	
Billings County School District	Taxes	00235	\$	82,491.63	
Billings County Sheriff	S. O. – Travel Expenses	00236	\$	279.90	
Belfield Automotive Supply, Inc.	Parts & Supplies	00237	\$	1,803.87	2, 3, W
Blue Cross Blue Shield of N.D.	Dental & Vision Premiums	00238	\$	2,166.50	1, 2, 3, W, G
Boespflug Trailers & Feed	Parts & Supplies	00239	\$	69.63	2, W
Boespflug Trailers & Feed	Weed – 2011 ABU Trailer	00240	\$	2,750.00	
Bosch Lumber Company	Shop Tools	00241	\$	38.40	2
Bound Tree Medical, LLC	Ambulance – Medical Supplies	00242	\$	3,157.91	
Braun Distributing, Inc.	S. O. – Parade Treats	00243	\$	116.75	

Brooks & Associates, C. E.	Land Use Plan	00244	\$	105.19	
Butler Machinery Co.	Parts & Repairs	00245	\$	356.00	1, 3
Care, Inc.	Ambulance – Service	00246	\$	47.91	
Cass County Treasurer	Document Preservation Fund	00247	\$	381.00	
Cellular Communications	Cellular Service	00248	\$	239.94	3
Cerkoney, Cathy	Zoning Meetings – Mileage	00249	\$	141.40	
Comfort Inn – Bismarck	911 Meeting	00250	\$	260.00	
Cowboy Café	Flood Emergency	00251	\$	575.88	
CR Autoglass & Accessories	Parts & Repair	00252	\$	1,010.00	1
Creative Energy	Gas, Oil, & Fuel	00253	\$	10,159.68	1, W
Dakota Farm Equipment, Inc.	Weed – Parts & Supplies	00254	\$	173.37	1, G
Dakota Farm Equipment, Inc.	Weed – 2011 J.D. X.U.V.	00255	\$	10,900.00	
Dakota Filter Supply	Parts & Supplies	00256	\$	186.00	1
Dakota Insurance	Notary Insurance	00257	\$	50.00	
Dakota Water Treatment	Water System Rental	00258	\$	25.00	1
Dan’s Interstate Conoco	S. O. – Gas	00259	\$	477.73	
Dickinson Public Library	Library Services	00260	\$	3,835.52	
D.T.E., Inc.	Grill Guard	00261	\$	1,395.00	3
Electronic Communications	Ambulance – Quik Response Unit	00262	\$	8,550.00	
Electronic Communications	Ambulance – Repeater Power Supply	00263	\$	1,200.00	
Expressway Inn – Bismarck	D.E.M. – Travel Expense	00264	\$	207.90	
Frontier Precision, Inc.	Shop Tools	00265	\$	249.04	3
Gall’s, Inc.	S. O. & Ambulance – Supplies	00266	\$	451.82	
George’s Tire, Ltd.	Tires	00267	\$	315.00	1
Gilseth, Mitchel	Ambulance – Travel Expenses	00268	\$	25.00	
Gunia, Kim	Flood Emergency Services	00269	\$	434.09	
Harkins, James P.	Flood Emergency Services	00270	\$	676.37	
Heartland Engineering	South Ash Coulee Road, etc.	00271	\$	1,302.56	2
Hedahls Auto Plus	Shop Supplies	00272	\$	44.40	2
Heiser Electric, Don	Electrical Service & Repair	00273	\$	15,667.33	2, 3, W
Heiser, Don	Zoning Meetings – Mileage	00274	\$	102.64	
Hlebechuk Construction	Blade Roads & Culvert Installation	00275	\$	44,826.00	1, 2
Hobbs, Inc.	Tanks	00276	\$	18,195.00	2
JB’s Window Cleaning Service	Courthouse – Maintenance	00277	\$	690.00	
Johnson, Joshua	Courthouse – Custodial Help	00278	\$	1,230.00	
Just-In Glass	Weed – Windshield Installation	00279	\$	238.00	
Kadrmass, Lee, & Jackson, Inc.	Engineering	00280	\$	40,385.55	1, 2, 3
Kasian, Connie	Zoning Meetings – Mileage	00281	\$	131.20	
Kasian, Michael E.	Commissioner – Mileage	00282	\$	184.11	2
Kessel, Anita	Zoning Meetings – Mileage	00283	\$	151.60	
Kevin’s Auto & Truck Repair	Parts & Repairs	00284	\$	906.75	2, G
Kohler Communications	Radio Parts & Supplies	00285	\$	23.95	1
Krush, Paul	Zoning Meetings – Mileage	00286	\$	155.68	
Larrivee Architects, Inc., J. P.	Courthouse – Roof Evaluation	00287	\$	3,325.00	
Lyle Signs, Inc.	Road Signs	00288	\$	167.21	3
Mid-American Research Chemical	Courthouse – Maintenance Supplies	00289	\$	265.00	
Martin Construction	Blacktail Road	00290	\$	13,352.69	1
Matthew Bender & Company	Subscription	00291	\$	212.10	
McJunkin Redman Corp.	Parts & Supplies	00292	\$	141.62	2
Med Media	Ambulance – Emstat Annual Fee	00293	\$	250.00	
Medora Convenience Store	Ambulance – Diesel Fuel	00294	\$	180.91	
Midstate Telephone Company	911 Changes	00295	\$	6.00	
Midstate Telephone Company	Courthouse – Telephone Service	00296	\$	918.14	
Mid West Crane Service	Unload Tanks	00297	\$	390.00	2
Midwest Doors, Inc.	Shop Expense	00298	\$	90.00	1
Missouri Valley Petroleum, Inc.	Gas & Diesel Fuel	00299	\$	36,077.31	2, 3, G
Myron’s Roofing	Shop Expense	00300	\$	4,540.50	2
N.D. Association of Counties	Weed – D & A Testing	00301	\$	212.00	
N.D. Association of Counties	Taxes	00302	\$	115.33	
N.D. Cowboy Hall of Fame	Meeting Room – Maintenance	00303	\$	400.00	
N.D. Dept. of Transportation	Weed – License & Title 2011 X.U.V.	00304	\$	10.00	
N.D. Dept. of Transportation	Weed – License & Title 2011 Trailer	00305	\$	10.00	
N.D. Dept. of Transportation	License & Title 2011 ABU Trailer	00306	\$	10.00	3
N.D. Insurance Department	Tank Registration Fees	00307	\$	800.00	1, 2, 3, G
N.D. Peace Officers’ Association	S. O. – Conference Fees	00308	\$	320.00	
N.D.P.E.R.S.	Health Insurance Premium	00309	\$	34,271.12	1, 2, 3, W, G
N.D. Secretary of State	Notary – Application	00310	\$	36.00	
N.D. States’ Attorney Association	Membership Dues	00311	\$	250.00	
N.D. Fire & Tornado Fund	Property Insurance	00312	\$	4,835.31	1, 2, 3, W, G
N.D. State Radio Communication	S. O. – T-1 Line	00313	\$	1,411.56	
N.D. State Treasurer	Clerk of Court Fees	00314	\$	74.85	
N.D. Assoc. of County Assessors	Tax Director – Conference Fees	00315	\$	300.00	
Nelson International	Parts & Supplies	00316	\$	839.12	1, 2
Never Enough Thyme Greenhouse	Courthouse – Maintenance Supplies	00317	\$	103.76	
Newby’s Ace Hardware	Courthouse – Maintenance Supplies	00318	\$	329.94	
Northern Improvement Co.	Cold Mix	00319	\$	4,874.32	2
Northern Plains Engineering	Flood Emergency – Engineering	00320	\$	1,280.00	2, G
Northwest Tire, Inc.	Tires, Repair, & Alignment	00321	\$	1,870.54	1, 3
Odermann, Tehryn	Weed – Pesticide Training	00322	\$	80.00	
Off Road Software, Inc.	G.I.S. Software	00323	\$	1,400.00	
OK Tire Stores	Tires	00324	\$	35.00	3
Outback Lumber Supply	Lumber Supplies	00325	\$	180.90	1, 2

Prairie Excavation	Flood Emergency – Excavator Rental	00326	\$	2,080.00	
Praxair	Shop Supplies	00327	\$	560.54	1
Probuild	Museum – Storm Door Replacement	00328	\$	229.00	
Pump Systems, Inc.	Weed – Parts & Supplies	00329	\$	158.95	
Radisson Hotel – Bismarck	Recorder – Travel Expense	00330	\$	207.90	
RAM General Contracting, Inc.	Building – Construction	00331	\$	306,066.45	2, 3
Ray’s Auto Electric, Inc.	Parts & Repairs	00332	\$	199.78	3
RDO Equipment Company	Parts & Repairs	00333	\$	2,688.24	2
Roughrider Electric Cooperative	Electricity	00334	\$	2,141.51	1, 2, 3, W, G
Rummel, Patrick	D.E.M. – Travel Expense	00335	\$	57.50	
Runnings Farm & Fleet, Inc.	Shop Supplies	00336	\$	1,064.27	2, 3, W, G
Rushmore Mountain Taffy Shop	Recorder – Convention	00337	\$	50.00	
Sax Motor Company	Parts & Supplies	00338	\$	75.64	2
Southwest Business Machines	Office Supplies	00339	\$	1,711.08	3, W, G
South Heart Auto Service	Parts & Repairs	00340	\$	414.55	3
Share Corporation	Courthouse – Maintenance Supplies	00341	\$	176.97	
St. Joseph’s Hospital	S. O. – Blood Test	00342	\$	89.00	
Stein’s, Inc.	Courthouse – Maintenance Supplies	00343	\$	178.35	
Southwestern District Health Unit	Taxes	00344	\$	17.75	
Southwestern Multi-Co.Correction Ctr.	Prisoner Care	00345	\$	1,120.00	
Southwest Water Authority	Taxes	00346	\$	4.85	
Southwest Water Authority	Water Usage	00347	\$	2,470.78	1, 2, 3
Swanson, Stacey	Deputy Tax Director – Travel Expense	00348	\$	32.50	
Tczap, John	Zoning Meetings – Mileage	00349	\$	70.00	
Thompson, Allan T.	Commissioner – Mileage	00350	\$	60.69	1
TMI Storage Systems Corp.	Risk Mgmt. – Storage Equipment	00351	\$	561.00	
Tom’s Service Center	S. O. – Parts & Service	00352	\$	360.10	
Theodore Roosevelt Medora Found.	Ambulance – Paramedic Housing	00353	\$	59.00	
Theodore Roosevelt Medora Found.	Flood Emergency Services	00354	\$	10,367.50	
Verizon Wireless	Cellular Service	00355	\$	1,275.16	2, 3, G
Wal-Mart	Weed, etc. – Supplies	00356	\$	576.77	
Wanner, Dana	Tax Director – Travel Expense	00357	\$	154.90	
Wanner, Joe K.	Flood Emergency Services	00358	\$	312.95	
Warne Chemical & Equipment Co..	Weed – Equipment	00359	\$	3,625.32	
Western Fire & Safety	Safety Gear & Equipment	00360	\$	674.33	1, 3, W
Westlie Truck Center	Parts & Supplies	00361	\$	528.89	3
Wosepka CPA, James J.	2010 Fiscal Year Audit – Fees	00362	\$	5,372.50	
Zoll Medical Corp.	Ambulance – Medical Supplies	00363	\$	1,551.50	
American Family Life Assurance	Premium	00426	\$	671.59	
AT & T	Cellular Service	00427	\$	175.44	1, 3, G
Consolidated	911 Changes & Internet Service	00428	\$	238.45	2, 3, W
Discovery Benefits, Inc.	Administrative Fees	00429	\$	84.00	
Discovery Benefits, Inc.	Premium	00430	\$	1,816.69	
Information Technology Dept.	S.O. – T-1 Line	00431	\$	444.00	
Job Service – North Dakota	Unemployment Taxes	00432	\$	3,231.06	1, 2, 3, W, G
Medora, City of...	Courthouse – Utilities	00433	\$	259.09	
State Dispersement Unit	Garnishment	00434	\$	412.00	
N.D.P.E.R.S.	Deferred Comp. Premium	00435	\$	4,964.00	
N.D.P.E.R.S	Retirement	00436	\$	12,091.46	1, 2, 3, W, G
N.D. State Tax Commissioner	State Withholding Taxes	00437	\$	6,537.32	
Prudential	Deferred Comp. Premium	00438	\$	50.00	
Qwest	Telephone Service	00439	\$	366.54	1, 2, 3, W, G
Reservation Telephone Cooperative	Telephone Service	00440	\$	62.60	1, 2, 3, G
Visa	Cellular Equipment, etc.	00441	\$	2,150.33	

Payroll in the following amounts were approved for June: General Fund \$77,137.79; Road and Bridge Fund \$72,522.09; Weed Fund \$29,275.18

With there being no further business, Thompson moved to adjourn the meeting 5:15 P.M. Kasian seconded. All voted aye.

James Arthaud, Chairman

Attest: \_\_\_\_\_

Joan Jurgens, Auditor/Treasurer

**BILLINGS COUNTY BOARD OF COUNTY COMMISSIONERS  
SPECIAL MEETING – JULY 15, 2011**

The meeting was called to order at 9:15 A.M. with Commissioners Thompson and Kasian in attendance. Commissioner Arthaud was absent.

Others present during portions of the meeting were: Clint Schneider, Scott Schneider, Russ Jordie, Jon Nestoss, Justin Wilson, Lyle Whitcomb, Karen May, Margie Lindbo, Matt Kolling, Pat Hedstrup, Marc Mouton, Marc Barra, Alan Butts, Darlene Mitchell, Louis Lindbo, Don Heiser, Stacey Swanson, Dana Wanner

The riverbank stabilization on the Clint Schneider ranch was the first item on the agenda. Clint stated that he has been working on getting estimates to move the buildings, corrals, etc., but is having trouble finding people able to do it. NRCS discussed their design plan to correct the problem. Repayment options were discussed. The Schneider's stated that they felt the project was too expensive and they were declining. Thompson moved to decline the proposed repair plan and look into cleaning up the damage. Kasian seconded. All voted aye.

The board received a copy of the amendment to the zoning ordinance for temporary crew housing. The public hearing was held during the zoning meeting on July 14, 2011. The zoning board adopted the amendment. Thompson moved to approve the amendment. Kasian seconded. All voted aye.

The following zoning applications and zoning board recommendations were addressed:

Mark Kasian – Application to rezone 3 acres in SW1/4SW1/4 35-141-98 from agricultural to residential. The zoning board approved the application. Due to a conflict of interest on the part of one board member, the board tabled this matter until a full board is in attendance.

Von & Noreen Johnson – Application to rezone 10 acres in SW1/4 26-141-99 from agricultural to commercial. The zoning board approved the application. Kasian moved to approve the application. Thompson seconded. All voted aye.

Lane & Melissa Lowman – Application to add an attached garage, porch, and dormers to an existing structure, and new construction of a detached garage on a 1.03 acre tract in NW1/4NW1/4 26-141-99. The zoning board approved the application. Thompson moved to approve the application. Kasian seconded. All voted aye.

MBC Properties (Morey Bang) – Application to construct a new detached garage and guest rooms in SE1/4SE1/4 34-140-102. The zoning board approved the application pending compliance with the 103 foot setback. Thompson moved to approve the application. Kasian seconded. All voted aye.

Rhonda King – Application for new construction of a detached garage with living quarters on Tract 3 of the Merrifield Creek Ranch Subdivision in 27-139-102. The zoning board approved the application. Thompson moved to approve the application. Kasian seconded. All voted aye.

James A. Odermann – Application to build a single family residence in SW1/4 22-141-99. The zoning board approved the application. Thompson moved to approve the application. Kasian seconded. All voted aye.

Robert Bristlin – Application to construct a single family residential structure in NE1/4SE1/4 34-140-102. The zoning board approved the application. Thompson moved to approve the application. Kasian seconded. All voted aye.

Zach Wurzer – Application for a variance to keep an RV behind the John Wurzer main residence in SW1/4SW1/4 11-142-99 for temporary living quarters. The zoning board approved a variance for an additional year. Thompson moved to approve the application. Kasian seconded. All voted aye.

Energy Resource Group – Application for a conditional use permit for a 200+ person crew housing structure and training facility on the Fryburg School location in 9-139-100. The zoning board approved the application provided that the zoning amendment is adopted by the county commission, the conditional use permit is approved by the county commission, and that ERG meets all of the conditions set forth. ERG representatives were on hand to answer questions.

Thompson moved to approve the conditional use permit contingent upon receipt of the required documentation, and pending the effective date of the resolution. Kasian seconded. All voted aye.

Darlene Mitchell informed the board that the REAP board has applied for a regional planning grant and is asking each county to contribute to the cost of applying for the grant. Since this is a special meeting, the board will discuss this at the August meeting.

With there being no further business, Thompson moved to adjourn the meeting 11:35 A.M. Kasian seconded. All voted aye.

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James Arthaud, Chairman

Attest: \_\_\_\_\_

Joan Jurgens, Auditor/Treasurer